

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

INNOVATIONS4FLOORING HOLDING, N.V.,

Plaintiff,

v.

WELLMACED FLOOR COVERINGS
INTERNATIONAL, INC. d/b/a WELLMACED
PERFORMANCE FLOORING and COSTCO
WHOLESALE CORPORATION,

Defendants; and

FLOORING INDUSTRIES LTD., Intervenor.

Case No. 3:19-cv-00299-HZ

**JOINT STIPULATION OF DISMISSAL
WITHOUT PREJUDICE**

Plaintiff Innovations4Flooring Holding, N.V. (“I4F”), Defendants Wellmade Floor Coverings International, Inc. (“Wellmade”) and Costco Wholesale Corporation (“Costco”), and Intervenor Flooring Industries Ltd. (“Flooring Industries”), hereafter collectively “the Parties,”

NOW, THEREFORE, the Parties agree and stipulate as follows:

WHEREAS, Plaintiff I4F filed a complaint on February 28, 2019 for patent infringement in violation of 35 U.S.C. § 271 alleging infringement of United States Patents No. 10,053,868 entitled “Floor panel and floor covering consisting of a plurality of floor panels” (“the ’868 patent”) by Defendants;

WHEREAS, Defendants Wellmade and Costco each filed an Answer, Affirmative Defenses, and Counterclaims on May 28, 2019 alleging non-infringement and invalidity of the ’868 patent and asserting counterclaims seeking a declaration of non-infringement of the ’868 patent and a declaration of invalidity of the ’868 patent;

WHEREAS, Plaintiff I4F filed Responses to Defendants Wellmade's and Costco's Counterclaims on June 18, 2019 denying Defendants' allegations of non-infringement and invalidity of the '868 patent; and

WHEREAS, Flooring Industries filed a motion to intervene on June 20, 2019 which was granted on October 7, 2018;

NOW THEREFORE, the Parties agree and stipulate as follows:

1. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Parties jointly stipulate to the voluntary dismissal of this action, including all claims and counterclaims therein, without prejudice.

2. Each party shall bear its own costs, expenses, and attorneys' fees.

Each undersigned representative of the Parties certifies that he or she is fully authorized to enter into and execute the terms and conditions of this Joint Stipulation of Dismissal.

IT IS SO ORDERED this 3rd day of December 2019.



MARCO A. HERNANDEZ
United States District Judge

IT IS SO STIPULATED this 27th day of November, 2019.

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